?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

%DATED: 02.11.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
+Crl.O.P.(MD).No.19781 of 2018
and
Crl.M.P.(MD)No.9050 of 2018

#Zahir Hussain : Petitioner

Vs.

$Fakrudeen Ali Ahamed : Respondent

PRAYER:Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the case in C.C.No.504 of 2016 from the file of Judicial Magistrate Vallioor, Thirunelveli District to Judicial Magistrate Court, Mettupalayam, Coimbatore District to Judicial Magistrate Court, Mettupalayam, Coimbatore District.

!For Petitioners : Mr.M.Karthikeya Venkitachalapathy
^For Respondent:

:ORDER

This petition has been filed seeking to transfer the case in Crime No.504 of 2016 pending on the file of the learned Judicial Magistrat, Vallioor, Thirunelveli District.

2.The calender case is of the year 2016. The case pertains to offence under Section of 138 of Negotiable Instruments Act. The learned counsel for the petitioner would submit that there is a life threat to the petitioner and in that regard several complaints have been given to the police. Due to the life threat, the petitioner is not able to attend the proceedings.

3.In the facts and circumstances of the case, this Court is of the considered view that the presence of the petitioner before the Court below shall be dispensed with and he shall be represented by a counsel. The petitioner shall be present before the Court below at the time of questioning under Section 313 Cr.P.C., and at the time of passing judgment.

4.The Court below is directed to complete the proceedings within a period of two months from the date of receipt of a copy of this order.

5.This Criminal Original Petition is disposed of accordingly. Consequently, connected miscellaneous petition is also closed.

To

1.The Judicial Magistrate Vallioor,
Thirunelveli District

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.